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6 LOUISIANA PACIFIC CORPORATION,
7 Plaintiff,
8 v.
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10 MONEY MARKET 1 INSTITUTIONAL
11 INVESTMENT DEALER, ET AL.,
12 Defendants.
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14 No. C 09-03529 JSW
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16 **ORDER REGARDING MDL**
17 **ACTION**

18 Now before this Court is a joint letter dated December 18, 2009 from the parties
19 requesting the Court's assistance in interpreting an order issued in *In re Merrill Lynch & Co.,*
20 *Inc. August Rate Securities (ARS) Marketing Litigation*, MDL No. 2030, with regard to whether
21 this pending matter (as well as the pending motion filed by Defendant Deutsche Bank Securities
22 Inc. to transfer venue pursuant to 28 U.S.C. § 1404(a)) is properly before this Court or more
23 properly before the MDL Panel in the Southern District of New York.

24 The Court finds that considering the request would impede the MDL Panel's function
25 and therefore ORDERS that the parties present the matter of whether this case and its pending
26 motion to transfer the matter to the Southern District of New York should be decided by the
27 MDL Panel or this Court. The Court defers to the decision of the MDL Panel as to how to
28 proceed. The parties shall submit a joint report indicating the MDL Panel's determination
within two court days of receiving such a determination and this Court shall proceed as

1 instructed.

2 **IT IS SO ORDERED.**

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4 Dated: December 21, 2009

Jeffrey S. White
5 JEFFREY S. WHITE
6 UNITED STATES DISTRICT JUDGE
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